

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Shannon Vontreal Scott**

**Docket No. 4:05-CR-78-1FL**

**Petition for Action on Supervised Release**

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Shannon Vontreal Scott, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With Intent to Distribute More Than 50 Grams of Cocaine Base (Crack) and a Quantity of Cocaine, and Use, Carry, and Possess a Firearm During and in Relation to a Drug Trafficking Crime, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge on June 19, 2006, to the custody of the Bureau of Prisons for a term of 157 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On December 10, 2007, pursuant to a Rule 35 Motion, his sentence was reduced to 117 months. Additionally, on October 6, 2010, pursuant to an 18:1 Crack Retro Reduction, the defendant's sentence was reduced to 116 months.

Shannon Vontreal Scott was released from custody on April 17, 2014, at which time the term of supervised release commenced.

A Violation Report was submitted on February 12, 2015, advising the court that the defendant submitted to urine tests on November 18, 2014, December 2, 2014, and January 20, 2015, which tested positive for oxymorphone. He admitted that he was using the medication without a prescription due to dental issues. On February 13, 2015, the court agreed to take no action as the defendant was reprimanded for that conduct.

A Violation Report was submitted on March 20, 2015, advising the court that the defendant had been unable to make consistent payments toward his financial obligation due to his status as a student. On February 13, 2015, the court agreed to suspend his monthly payments until there was a change in his ability to pay. However, as the defendant has now secured employment, the suspension of monthly payments can be withdrawn.

A Violation Report was submitted on October 14, 2015, advising the court that the defendant submitted to a urine test on September 30, 2015, which tested positive for marijuana. On October 15, 2015, the court agreed to have the defendant confined in the custody of the Bureau of Prisons for a period of 2 days, and to resume monthly payments of \$50 effective October 2015.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant submitted to a urine test on December 1, 2015, which was confirmed positive for oxycodone and oxymorphone by Alere Laboratories. The defendant acknowledged the validity of the urine test by signing an Admission of Drug Use on December 10, 2015. To his credit, the defendant confessed that he has developed an addiction which exceeds his need for medication to address his dental issues. Therefore, in addition to the requested modifications, the defendant's participation in the Surprise Urinalysis Program will be increased to the highest level available. Furthermore, it is noted that while the defendant made a \$50 payment for October 2015, he failed to make a \$50 payment for November 2015. As such, his compliance with future payments will be closely monitored.

The defendant signed a Waiver agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 5 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Dwayne K. Benfield  
Dwayne K. Benfield  
Supervising U.S. Probation Officer

/s/ David W. Leake  
David W. Leake  
U.S. Probation Officer  
200 Williamsburg Pkwy, Unit 2  
Jacksonville, NC 28546-6762  
Phone: 910-346-5109  
Executed On: December 15, 2015

**ORDER OF THE COURT**

Considered and ordered this 21st day of December, 2015 and ordered filed and made a part of the records in the above case.



Louise W. Flanagan  
U.S. District Judge